

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

VANCE STRADER, )  
                        )  
Petitioner,         )  
                        )  
vs.                   ) Civil Action No. 21-317  
                        )  
CORPORATION ALLEGHENY COUNTY,     )  
JOSEPH JAMES, and JUDGES IN THE     )  
SUPERIOR COURT AND THE SUPREME     )  
COURT,                 )  
                        )  
Respondents.         )

**ORDER**

Before the Court is the Report and Recommendation of the Magistrate Judge (ECF No. 2) recommending that the petition for writ of habeas corpus be dismissed, *sua sponte*, because the claims are not cognizable as a federal habeas action. It was further recommended that, to the extent one is necessary, a certificate of appealability be denied. Objections to the Report and Recommendation, the deadline for which was extended twice, were due by April 30, 2021. No objections were filed. The matter is ripe for disposition.

The district court must make a *de novo* determination of those portions of the report to which objections are made. 28 U.S.C. § 636(b)(1)(C); *see also Henderson v. Carlson*, 812 F.2d 874, 877 (3d Cir.1987). This Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The District Court Judge may also receive further evidence or recommit the matter to the Magistrate Judge with instructions.

Upon *de novo* review of the Report and Recommendation and the entire record in this matter, and finding no reason to depart therefrom, it being clear petitioner is not entitled to the requested relief, the following order is entered.

**AND NOW**, this 13<sup>th</sup> day of May, 2021, it is hereby **ORDERED, ADJUDGED AND DECREED** as follows:

**IT IS ORDERED** that the Report and Recommendation (ECF NO. 2) is **ADOPTED** as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Plaintiff's petition is hereby **DISMISSED WITH PREJUDICE**. The Clerk of Court shall mark this case **CLOSED**.

**IT IS FURTHER ORDERED** that to the extent one is necessary, a Certificate of Appealability is DENIED.

s/Robert J. Colville  
United States District Judge

cc/ecf: Magistrate Judge Maureen P. Kelly

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(via regular mail)